

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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	:
YUEZENG SHEN and HONGLIANG LIN , on	:
their own behalf and on behalf of others similarly	:
situated,	:
	ORDER ADOPTING REPORT
	AND RECOMMENDATION
Plaintiffs,	:
	19-CV-7269 (AMD) (LB)
– against –	:
	:
ZENTAO INC d/b/a Sushi Republic, ZENTAO	:
NY LLC d/b/a Sushi Republic, YUAN XIANG	:
CHEN, ZHENPING LI, JOHN WANG a/k/a	:
CHUN JIE WANG, JANE 01 DOE a/k/a ZHEN	:
DONG and JANE 02 DOE a/k/a ZHEN RONG	:
DONG,	:
	:
Defendants.	:
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ANN M. DONNELLY, United States District Judge:

The plaintiffs brought this action on December 30, 2019, alleging violations of the Fair Labor Standards Act (“FLSA”) and New York Labor Law (“NYLL”). (ECF No. 1.) On October 2, 2024, the plaintiffs accepted the defendants’ offer of judgement pursuant to Federal Rule of Civil Procedure 68. (ECF No. 84.) Thereafter, on November 6, 2024, the plaintiffs’ moved for an award of \$85,441.00 in attorney’s fees and \$2,809.19 in costs pursuant to 29 U.S.C. § 216(b) and N.Y. Lab. Law §§ 198(1-a), 663(1). (ECF Nos. 89, 90 at 16.) The Court referred the motion to Magistrate Judge Lois Bloom. (*ECF Order dated Dec. 20, 2024.*)

In a February 18, 2025 report and recommendation, Judge Bloom recommended that the Court grant the motion for attorney’s fees and costs, but reduce the award of attorney’s fees to \$36,155.18. (ECF No. 94.) Observing that this was a “straightforward FLSA case,” Judge Bloom determined that counsel’s proposed billing rates were too high, and that lower rates

commensurate with “what a reasonable client would pay” were appropriate. (*Id.* at 6, 8.) Judge Bloom also found that the plaintiffs’ billable hours proposal included vague, excessive, duplicative, or purely clerical billing entries, and recommended reducing those hours. (*Id.* at 9–12.) In sum, Judge Bloom recommended that the plaintiffs’ attorneys should be awarded \$36,155.18 in attorney’s fees and \$2,809.19 in costs — a total award of \$38,964.37. (*Id.* at 14.) No party has filed an objection to the report and recommendation and the time for doing so has passed.

A district court reviewing a report and recommendation “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). To accept a report and recommendation to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” *VOX Amplification Ltd. v. Meussdorffer*, 50 F. Supp. 3d 355, 369 (E.D.N.Y. 2014).

The Court has carefully reviewed Judge Bloom’s thoughtful report and recommendation for clear error and finds none. Accordingly, the Court adopts the report and recommendation in its entirety. The plaintiff’s motion for attorney’s fees and costs is granted, but the award of attorney’s fees is reduced to \$36,155.18.

SO ORDERED.

s/Ann M. Donnelly

ANN M. DONNELLY
United States District Judge

Dated: Brooklyn, New York
March 6, 2025